UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

WRS, INC., d/b/a WRS MOTION PICTURE LABORATORIES, a corporation,	)	
Plaintiff,	)	
vs.	)	Civil Action No. 00-2041
PLAZA ENTERTAINMENT, INC., a corporation, ERIC PARKINSON, an individual, CHARLES von BERNUTH, an individual, and JOHN HERKLOTZ, an individual,	)	
Defendants.	)	

ORDER

In this civil action in which plaintiff, WRS, Inc. ("WRS"), seeks damages from defendants, Plaza Entertainment, Inc. ("Plaza Entertainment"), Eric Parkinson ("Parkinson"), Charles von Bernuth ("von Bernuth") and John Herklotz ("Herklotz"), for film and video duplication and administrative services provided to Plaza Entertainment, default judgments have been entered against Plaza Entertainment, Parkinson and von Bernuth for failure to defend under Fed.R.Civ.P. 55(a), and summary judgment has been entered in favor of WRS and against Herklotz on the issue of liability under Fed.R.Civ.P. 56. Thus, the only issues remaining in this case are (1) the damages, if any, which WRS is entitled to recover from defendants and (2) the liability of Plaza Entertainment, Parkinson and von Bernuth to Herklotz on his cross-claims for indemnity and/or contribution, breach of fiduciary duty and material misrepresentation.

Pursuant to 28 U.S.C. § 1404(a), Herklotz, a resident of California, has filed a Motion to Transfer Venue of the remaining issues in this case to the United States District Court for the Central District of California due to deteriorating health and its effect on his ability to travel to

Pittsburgh, Pennsylvania for trial, as well as the fact that witnesses he intends to call at trial reside in California and are beyond the subpoena power of this court. WRS shall file a response to Herklotz's Motion to Transfer Venue **on or before October 13, 2006.**

AND NOW, this 27th day of September, 2006, IT IS SO ORDERED.

s/Arthur J. Schwab
Arthur J. Schwab
United States District Judge
for
William L. Standish
United States District Judge

cc: Counsel of record